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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: BEXTRA AND CELEBREX  
MARKETING SALES PRACTICES AND  
PRODUCT LIABILITY LITIGATION

CASE NO. M:05-CV-01699-CRB

MDL No. 1699

Judge Charles R. Breyer

**This Order Relates to:**

Ayers v. Pfizer Inc., et al.  
No. C-05-3770

Cherdak v. Pfizer, Inc., et al.  
No. C-08-cv-02477

Daroogar v. Merck & Co., Inc., et al.  
No. C-07-1061

Daubert et al. v. Pfizer, Inc. et al.  
No. C-07-1493

Eliscu v. Merck & Co., Inc., et al.  
No. C-06-3274

Kinzer et al. v. Pfizer, Inc., et al.  
No. C-06-01714

Solis-King et al. v. Pfizer, Inc., et al.  
No. M:06-CV-00371

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE**

Come now Plaintiffs NANCY AYERS, ERIK B. CHERDAK, SHAHIN DAROOGAR,  
PAMELA DAUBERT, WALTER DAUBERT, RICHARD ELISCU, LIZETTE KINZER,

1 WILLIAM SCOTT KINZER, CONSUELO SOLIS-KING, AND JERRY B. KING, and  
2 Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil  
3 Procedure, Rule 41(a), and hereby stipulate to the dismissal of these actions with prejudice with  
4 each side bearing its own attorneys' fees and costs.

1 Dated: March 12, 2009 LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

2  
3 By: 

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10 *Attorneys for Plaintiffs*

11 Dated: <sup>May 18</sup>~~March~~ \_\_, 2009 DLA PIPER LLP (US)

12  
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17 *Defendants' Liaison Counsel*

18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**  
19 **SO ORDERED.**

20 Dated: <sup>May 29</sup>~~March~~ \_\_, 2009

